

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JAMES E. JONES,

Petitioner,

vs.

STATE OF NE DHHS BMH LANCASTER  
COUNTY,

Respondent.

**8:22CV342**

**MEMORANDUM AND ORDER**

Petitioner filed a Petition for Writ of Habeas Corpus, Filing No.1, and two Motions for Leave to Proceed in Forma Pauperis ("IFP"), [Filing No. 2](#); [Filing No. 3](#).<sup>1</sup> Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 filing fee. [28 U.S.C. § 1914\(a\)](#). However, after considering Petitioner's financial status as set forth in his IFP Motions, leave to proceed in forma pauperis will be granted and Petitioner is relieved from paying the filing fee. See [28 U.S.C. § 1915\(a\)\(1\)](#).

IT IS THEREFORE ORDERED that: Petitioner's Motions for Leave to Proceed in Forma Pauperis, [Filing No. 2](#); [Filing No. 3](#), are granted. The next step in this case is for the Court to conduct a preliminary review of the habeas corpus petition in accordance

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<sup>1</sup> The IFP Motions each list different respondents than the respondent listed in the Petition. Compare [Filing No. 1](#) with [Filing No. 2](#) and [Filing No. 3](#). However, the Court docketed the Petition and the two IFP Motions in the same case because Petitioner submitted the three documents together in the same envelope.

with Rule 4 of the Rules Governing Section 2254 cases. The Court will conduct this review in its normal course of business.

Dated this 28th day of September, 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon". The signature is stylized with a large, circular initial "J" and a long, horizontal stroke extending to the right.

Joseph F. Bataillon  
Senior United States District Judge